

without method, his business would have fallen into inextricable confusion. He loved his profession; he believed with all his soul that his calling was a high, noble avocation, worthy of the highest intellect and the noblest and purest of men. He believed that the foundation of all law was in the golden rule of doing unto others as you would have others do unto you, and that the restraints of law were necessary to compel even a moderate observation of this universal commandment.

As a practitioner at the bar he was a very *knights chivalier*. In high courtesy to his adversaries, to the judge upon the bench, and the jury in the box. He was irreproachable, never guilty of a sharp practice himself, he had a profound contempt for whatever savored of it. In his addresses to court or jury, he was simple and direct. He indulged but little in the ornaments of rhetoric, and had but few of the popularly understood qualities of an orator. He was the most logical of speakers.

In purely legal discussions he had few equals. The graphic clearness of his statements, the simple logic of his style, the directness of his aims, the sense of sincere earnestness that he impressed upon his hearers, placed him without the mere graces of oratory fairly among the most powerful and successful of speakers.

I have seen him at times when he had so thoroughly convinced himself of the righteousness of his cause, that his earnestness and logic rose to real eloquence, carrying all before him. His influence with courts and juries was almost unbounded. This was partly due to his great legal ability, partly to his own high character, and partly to the candid way he had of yielding all doubtful questions, and planting himself upon the bed-rock of his cause. His favorite courts were probably the Supreme court and the Chancery court, though he was almost, if not fully, as much at home when before a jury. He was a very wise man about the management of a case and here was a great element of his strength. I never knew a man who had more thoroughly the confidence of his clients. He deserved it, and he never would continue in a cause where he was not entirely confident. I have known lawyers who in a particular line of business, were his superiors. I have known lawyers who were very much more eloquent than he, but taking him as a general practitioner, he was the best lawyer in my judgment, which this State ever produced. As a judge, in the formative period of the law, he would have, in my opinion, equaled Mansfield or Marshall, Kent or Taney. With his great love for his profession, and his great practice, the largest by far, which ever fell to any lawyer at this bar, it can not be wondered, that altho in life was unimportant and secondary.

Politics afforded him but an occasional interlude and a final afterpiece. He was not a politician in the commonly accepted meaning of the word, but yet in the higher sense, the true sense, he was a great politician. He understood the science of government as he understood the science of law. Springing from the mass of the people, he had a profound regard for their wants, their opinions, their aspirations. He was never an aristocrat in habit or sentiment. I speak thereof I know. He believed in the capability of the people for self-government, and was profoundly in sympathy with Democratic institutions of the world over. The Irish tenantry and the Scotch crofters, never had a friend who better understood their grievances or more heartily sympathized with their movements. Every speech he ever made upon the stump, or in the halls of the Senate, indicated toward which side his heart was turned. In the Senate his effort was in behalf of the restoration of silver to the currency, and his great speech upon the power of control by the Federal Government over the Pacific Railway, are cited as illustrations of his characterization of him in this regard. Though thoroughly imbued with their ideas and opinions, yet he never shaped his course with the mere hope of catching the popular breeze. Upon questions involving principle he stood firmly by his convictions, having an abiding confidence in the ultimate judgment of mankind upon his motives and conduct. His high qualities as a deep and original thinker, and his qualities as a statesman of the broadest type, are preeminently displayed in his speeches upon the silver question and upon the Kellogg Legislation of Louisiana, while his great resources as a constitutional lawyer found a conspicuous field for display in his advocacy of the Thurman Railroad Bill. The latter effort at once placed him upon an equality with the great lawyers of that great assembly. These speeches, if he had left no other record of his life behind him, will forever preserve his memory from decay, and stamp him as the greatest of Tennessee's Senators since the days of John Bell. In many respects the likeness to the latter named statesman is striking. Neither had any remarkably bright or shining qualities; neither presented any angularities or eccentricities of character. Both were men of depth, full men, sober, cautious, conservative men; both were very wise men; both were men of great reserve force; both were men of high regard for principle and little respect for demagoguery. Neither were men of show or shallow pretence. The great earnestness of one, found its counterpart in the other. The solid and lasting qualities of the one are matched for the most part by the same substantial characteristics in the other. No injustice is done Mr. Bell by the comparison; it might be carried further, but the likeness is to those who knew and loved both, not a forced one.

While a member of the United States Senate, the questions springing out of our State debt assumed very grievous shape. The position which he held as Senator from Tennessee in the Federal Congress, did not demand, in the judgment of many of his friends, that he should actively engage in the controversy over a question relating wholly to State politics. It would be out of place here and now to speak the language of controversy. The motives of those who differed with him upon that question are not to be here adversely criticised. But of the dead this is to be said, and said because his own speech is forever silenced, and he can be heard no more except through the fidelity and love of

surviving friends, that from the beginning to the end of that unfortunate controversy he was ever actuated by a high conviction of his sense of duty to himself, his people and his State.

He was above all things a Tennessean. That his State should play a subordinate part in National affairs, or do one act which should in any sense lower her proud standard, was something that could never enter his imagination to conceive. His conviction that the debt of the State was a legal and honorable obligation, was to him more than a sentiment—it was a living faith. So believing, he maintained his views upon all occasions and at all places. He threw his whole soul into the controversy upon what he deemed the side of the maintenance of the honor and credit of Tennessee. He never ceased to do battle for these views, and it may be said of him, as it was of the Knights of St. John in the holy wars: "In the face of every battle was seen his burnished mail, and in the gloomy rear of every retreat was heard his voice of constancy and courage."

The divisions which occurred in his own party over the settlement of this question resulted in his defeat for reelection. He bore it with patience, under it he was calm, strong and self-possessed. He had to the last no bitter word or thought for those who disappointed his action and opinions upon this matter, and standing here by his new made grave I can say of him, that he died with malice toward none, and charity for the action of all. And is it too much to hope that standing over this grave, the wounds which were sustained in that dead and buried controversy may be forever healed, and their memory forgotten?

That question undoubtedly resulted in cutting short a political career which had opened so auspiciously and which had already given sure promise of great fame both to himself and the State he loved so well. He left the senate with the seed of the disease which finally resulted in his death. He was never a sound man after his return to his home. He bore his sufferings with great fortitude, and the Master's summons found him ready and willing to go. It has been said that in the last analysis nothing is left but character. If this be true, what a precious heritage has he left behind him!

How grateful to the memory of those who were upon terms of intimacy with him, must ever be the recollection of his many endearing and kindly virtues. Strong in his attachments, affectionate in his sympathies, he clung to the ties of friendship, kindred and domestic love, with an ardor no time, no distance, no circumstance, could diminish. "The seasons in their bright round will come and go; hope and joy and great ambition will rise up as they have risen," but he will come no more. "His life is blended with the mysterious tide which bears upon its current, events, institutions, empires, in the awful sweep of destiny." No praise or censure, no love or hate, nothing can touch him further. The lesson of his life to young men is encouraging. He loved the young men, especially those of his profession. They should cherish his name forever. With no unusual circumstance of situation, of time, place, or even natural advantage, he reached the highest walks of his profession, and a seat in the highest council chamber of his country. Labor and virtue, earnestness and integrity—these were the stepping stones which he used—these the ladder by which he ascended. Better than great riches is a good name. This, this was his pre-eminence; this at least will ever abide. How better can I conclude than by quoting the magnificent passage upon the singleness of man by a heathen author: "Single is each man born into the world; single he dies, and single the punishment of his evil deeds. When he dies, his body, like a fallen tree, lies upon the earth, but his virtue accompanies his soul. Wherefore, let man harvest and gather virtue, so that he may have an inseparable companion in traversing that gloom which is so hard to be traversed."

Dr. D. F. Wright spoke next. He thought it a wise idea in the committee to select other speakers on this occasion, than those among his own profession. His relation with Colonel Bailey had been that of a political editor of a newspaper, with a great political leader. The paper which he then edited, had been wrongly spoken of as Col. Bailey's organ. This was unwarranted. Col. Bailey was not the character of politician, who would have an organ. The relation between them had always been of a purely friendly nature. The doctor continued with some appropriate remarks of Col. Bailey as a politician and a man.

The remaining speakers were Judge Jo C. Stark, W. A. Quarles and Jno. F. House.

At the conclusion of the meeting, the resolutions read by Judge Lurton were adopted by a standing vote. On motion of Michael Savage Esq., a committee consisting of one member of the bar for each court, was appointed to present the resolutions to the several tribunals, to be spread on their minutes.

PRESS NOTES.

The following comments on the death of Col. Bailey are copied from the leading papers of the State:

Nashville Union.

The announcement of the death of Hon. James B. Bailey, of Clarksville, which occurred at his residence yesterday morning at 7:30 o'clock, will awaken a mournful feeling in the breast of every Tennessean who esteems personal worth and sets a value on eminent talents conscientiously devoted to the welfare of the state. The news of his death will not be a surprise to his many friends, who have known for months that he has been afflicted with a malady that must necessarily prove fatal. Three years ago, when he lost made his appearance in public, devotedly and eloquently advocating what he believed to be the true policy and principles of Tennessee politics, and endeavoring to impress upon his fellow-citizens what he conceived to be the duty of every citizen of the commonwealth, many of his friends were painfully apprehensive that physical ill had forever impaired the usefulness of an intellect of great power and purity which Tennessee generally had only of late years learned to appreciate. Few men in this or any other State have been so distinguished by as modest a life as that of James B. Bailey. He died at the place of his birth, near which he was

born Aug. 15, 1822. Of his paternal ancestry we know but little. His mother was Mary Bryan, a native of Robertson county. He received an early academic education, which was completed at Nashville university under the tutelage of the famous Philip Landley. At the age of 22 he was admitted to the bar at Clarksville, and soon became a partner of the late George T. Boyd, a prominent lawyer of that day. With a devotion that was almost absolute, he dedicated himself to his profession, and by a course of strict propriety and industry, he acquired a reputation for ability that was soon recognized. He was a man of the front rank at the bar. He was always a man of decided but honest political convictions—a constitutional Whig in the breaking out of the war—but he never displayed ambition for political office. In 1851 he was induced to represent the county in the State senate, but from that time to 1874 his name, with his consent, was never pressed in connection with political station. His legal qualifications were long and recognized, and more than once, by executive appointment, he was placed on the supreme bench of the State. Of his first "ambition" in Tennessee we believe he was made a member.

At the breaking out of the civil war, Judge Bailey, although up to the last moment hoping for a peaceful solution of impending troubles, cast his personal destinies with the fortunes of the South. Recognizing his profound knowledge of the law, and his position in connection with the military and naval forces of the Confederacy, he was appointed colonel of the Forty-ninth Tennessee infantry, and shared with his regiment the modification of the enforced surrender of Fort Davidson. His health being seriously impaired by six months' imprisonment he was made, after his exchange, judge of the military court of Gen. Hardee's corps, a position that he ably filled till the close of the war.

The surrender found him, like most Confederates, with but little else than his profession as capital for the future. To this he rededicated himself with energy, conscientiousness and ability. His practice of law was only interfered with temporarily, by the appointment to judicial service before alluded to, until January, 1877, when he became a candidate for the Legislature for the United States Senate to fill the unexpired term of Senator Andrew Johnson, then held by appointment by Judge D. M. Key. A large promise and exciting contest Judge Bailey was elected, and without delay took his seat. The senate being then in session, he had but little over four years to serve, his term expiring March 4, 1881. His service in the senate was most honorable. Few men in history ever advanced through the quiet methods of a dignified statesman to a higher national position than did Senator Bailey. His associates were few, but they all respected the integrity of the senate and the respect of the country. His senatorial usefulness were invariably characterized by the soundness of his opinions, the strength of his logic and comprehensive lawyer and before he retired from the body he had come to be regarded by his associates of both parties as a just and statesman rather than a superficial politician.

Local questions of State politics, in regard to which he always maintained a decided position—preferring to stand upon his honest convictions, rather than to bend to what he regarded a mischievous change of public opinion—had for him about such a state of affairs to the party that had previously elected him that he was defeated for the succession. He retired to his home, and continued in a quiet retirement, but not without a high degree of nobility, the failure of his health, which has now resulted in his lamented death.

We can add but little, by way of information to our readers, or of personal eulogy, to the simple narrative of his private and professional career. His life, in all respects, was pure. In the social circle he was a model member—his habits, his politics, his entertainments, were strictly in accord with his high principles. He was a man of high character, and his fellow-men, and has left to his family the best of legacies—the record of an honest life.

Memphis Avalanche.

The telegraph brings us in a Clarksville special the sad news of the death of Senator James B. Bailey, that city. The news is in the special. The public life of Senator Bailey was compressed into a brief and brilliant career. In politics he was a Whig, and in the last political struggle before the war a supporter of Mr. Bell. He represented his county in the legislature before the war and there made a reputation as an able, conscientious and tireless law-maker. He was voted for during the war in the congressional election, and defeated Judge Caruthers to succeed Gov. Harris. He was a candidate before the convention which nominated James D. Porter for his first term. He was elected to fill Andrew Johnson's unexpired term in the senate.

As a lawyer he was thoroughly grounded in the principles of law and well versed in the English and American decisions. He was always a hard student, a clear reasoner and a close and logical debater. He was one of the first lawyers in the state to discuss a question of law, while he was almost equally as strong in presentation of facts. As an advocate he relied on few points, stating the rest to his opponents and discussing his side with candor and fairness. Never indulging in eloquence of empty, avoiding all rights of fancy, eschewing ornament, rightly severe in style, he had few equals before a jury, where his strength lay in simplicity, logic and reason and a profound knowledge of human nature.

In public life he was courageous, but never rash. He was a man of his convictions, and to triumph against them, but he was, for all this, conservative and prudent. He was ready, upright and honest in opinion and in fact. Prudent and to some extent even reserved, he indulged in neither demagoguery nor duplicity. He was plucky what he was, without being plucky as to any other question as to which he thought the public entitled to his views. His reserved nature gained him some criticism the reputation of coldness. It was every way overrated.

He was in fact one of the warmest-hearted, most liberal and most charitable of men. He gave with generosity but with a secret hand. Hundreds of the poor and needy have had cause to bless his charities. To his intimates and to those who knew him best, his good deeds were known to be numerous and of great number. He was an elder in the Presbyterian Church and his church views were broad and liberal. His life was as pure and blameless as a pure woman's.

In the senate he rapidly gained the respect of his colleagues by his plainness, his plainness, pure and honorable character, excellent judgment, capacity for work and ability. He easily established a reputation for large and general information, his speech on the silver question was regarded as the ablest delivered in the senate on that subject, and so pronounced.

He was a man of singularly well-balanced mind, who had grown upon all sides during a busy life. He was thoroughly well-informed upon a wide range of subjects and possessed the ability to turn to practical account whatever information he possessed. With this information, general culture, working capacity, logical powers and cool and clear judgment, he was well equipped to have fully enjoyed his own fame and to have shed lustre upon a State where his bold defiance of the majority, where he believed the majority temporarily gone wrong, had only heightened the respect for his ability and high character; but a fatal malady will it otherwise.

Tennessee has lost no man who loved her more devotedly. She has lost none more entitled to the respect due to a blameless and well-spent life and to noble character and stern integrity.

Memphis Appeal.

The death of Ex-Senator Bailey is a loss to the State that it cannot presently be compensated for. He was, in all the avenues of public life which he entered, found equal to the demands of the people. He was a man of unblemished character, of the highest probity, of correct and unswerving principle, true to his principles and of unswerving devotion to what he believed was the best policy for the Democratic party. In a great crisis in the political history of the state he found it necessary to differ with the majority of that party, but much as he regretted that necessity, he could not be shaken from his purpose of truth in life, which is the only enduring basis of character in man. This alienated him from the party and limited his influence to a comparative few, but he was content that it should be so, believing as he did that time would vindicate his judgment. Senator Bailey was not and could not be a popular leader. Cold of exterior and distant in his manner, he could not get close to the people, who for that reason misjudged him and failed to respond to his demand for re-election to the Senate. In that body, where he served one term, he was held in unshaken respect as a great lawyer and prudent and pains-taking legislator, always in the line of his duty in committees or on the floor of the Senate. He was a good speaker, decided and exact in delivery, logical in the arrangement of his argument and clear in the statement of it. In the darkest period of the country's history, when the South was in the highest esteem as an eminent citizen, a man who, in all the changes and chances of a public life, was able to maintain a pure and noble character, whose animating purpose was duty and duty well performed.

Dresden Enterprise.

Last Tuesday morning at 7 o'clock Ex-Senator James B. Bailey died at his residence in Clarksville, after a lingering illness with cancer of the stomach. By his death Tennessee loses one of her best citizens and a great statesman. His private life was without a blemish, and his public record is enviable. Our state can ill afford the loss of such a man. We notice that the State press, without regard to party or politics, unite in paying honor to the memory of the deceased.

Nashville American.

After a protracted, painful illness, ex-United States Senator James B. Bailey died at his residence in Clarksville yesterday morning at 7 o'clock. He was born in Montgomery county, Tenn., in the year 1822, and was educated at the University of Nashville, under Dr. Philip Landley's administration of that institution. He graduated at an early age and read law with George T. Boyd, one of the most famous lawyers of his time, and in partnership with that gentleman began to practice at Clarksville, Tenn., about the year 1847, where for many years he stood conspicuously at the head of the bar. In 1853 he was elected to the State Legislature, and was largely instrumental in getting the Omnibus Railroad Bill, which gave \$10,000 per mile to any railroad enterprise that would secure an equal amount from private individuals. Under the operation of this law many railroads were built in the State, and Tennessee advanced rapidly in wealth and influence until the breaking out of the civil war. Mr. Bailey was elected a second time to the Legislature in 1859, and was a member of that body when the war between the States broke out. Mr. Bailey and his then partner, Mr. Alfred Robb, raised the Forty-Ninth Regiment of Tennessee Volunteers, which saw its first service in the battle of Shiloh, in which engagement Col. Robb fell, and Mr. Bailey, who was Lieutenant-Colonel, and all the regiment, were taken prisoners. Mr. Bailey was sent to Fort Warren, where he was kept in close confinement for many months, but was finally exchanged and entered with his regiment again into active service in Virginia. He followed the fortunes of his regiment with a Colonel's commission to the close of the war, and then returned to Clarksville and resumed the practice of his profession. This he was eminently successful, reaping a princely income from the large number of cases in which he was employed. In 1877 he was elected by the Legislature to succeed Andrew Johnson in the United States Senate, where he distinguished himself for his painstaking assiduity and attention to his duties. He took special interest in the reorganization of silver, delivering one or more speeches upon that subject in the senate. As a citizen and a lawyer, Mr. Bailey was always held in high esteem. He was generous to his enemies, and charitable to his poor. For many years he was a leading member of the Presbyterian church in Clarksville, and by his advice and counsel and money did much to establish and build up the Southwestern University in that place. He owned Mrs. Lusk, of Nashville, and his wife, one daughter, and four sons, survive him.

Mr. Bailey in manner was always diffident and modest, rarely forcing himself into notice. Whatever of success he won in life was due to his thorough preparation, his unswerving integrity and his deep earnestness. He possessed a force of character of the political never disguising any opinion which he might entertain on public questions. He was frank, candid, sincere, and though often differing with his contemporaries about matters of public policy, his manner was so kind and his expressions so guarded that he rarely made a personal enemy. He had a wonderful influence over the young men with whom he was thrown in contact, and his advice to them was prompted by the purest of motives. His influence and example is due to a large extent the high character which the bar at Clarksville has always enjoyed. He would never lead his contemporaries to the low arts of the demagogue or the tricks of a case lawyer. His mind was clear and incisive, and though not eloquent, his perspicacity and earnestness always commanded the deepest attention. He had the rare faculty of catching the salient points of a case and disentangling it from all extraneous matters. He was logical in his methods, clear in his presentation of the facts of a case, and very successful in his practice, and in all the walks of life an exemplary citizen.

NOTICE.

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City Election Notice!

On Saturday, Jan. 16, 1886,
At the Court House in the city of Clarksville, Tennessee, I will open and hold an election for the purpose of electing Mayor and an Alderman from each of the eight wards of the city of Clarksville, to hold office for two years, beginning February 1, 1887.

Dec. 12, 1885-4t
R. H. WILLIAMS,
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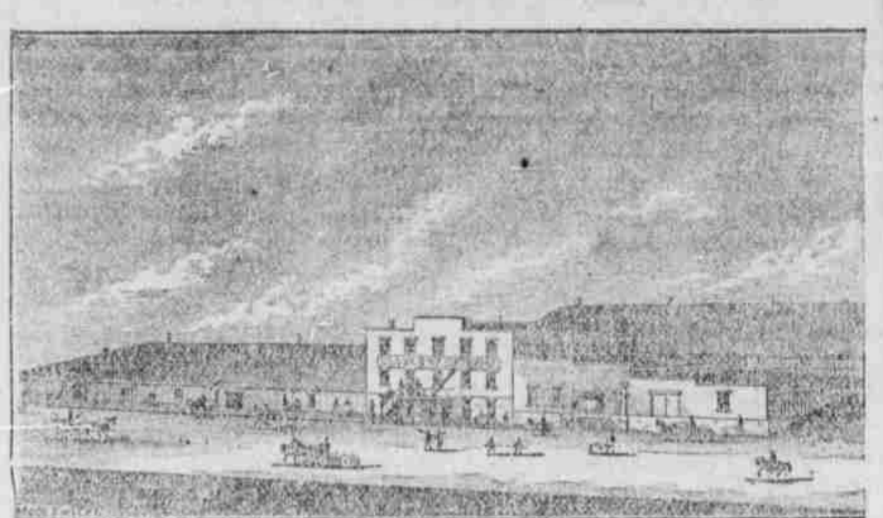
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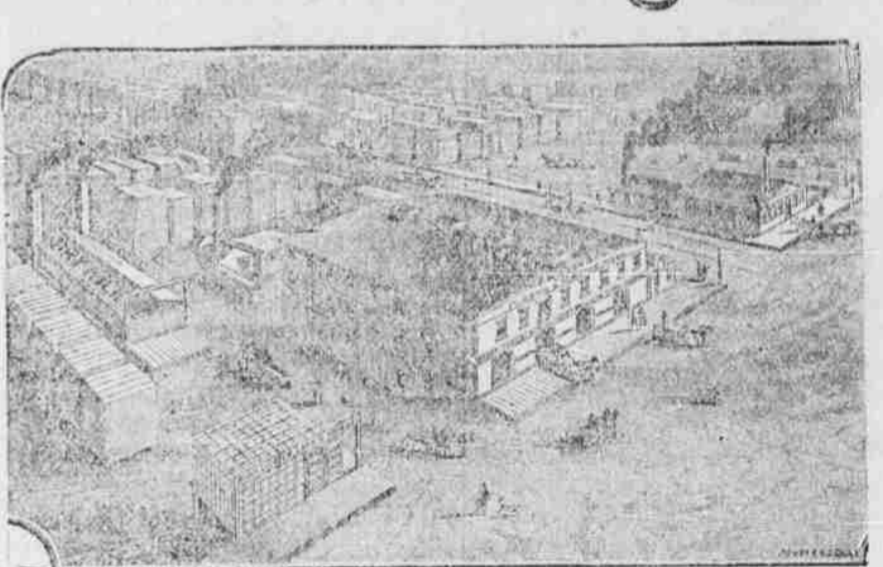
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